

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2007-167
HOUSE BILL 824**

AN ACT TO AMEND THE GENDER EQUITY REPORTING STATUTE.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-157.1 reads as rewritten:

"§ 143-157.1. Reports on gender-proportionate appointments to statutorily created decision-making regulatory bodies.

(a) Appointments. – In appointing members to any statutorily created decision-making or regulatory board, commission, council, or committee of the State, to public bodies set forth in subsections (c) and (d) of this section, the appointing authority should select, from among the most qualified persons, those persons whose appointment would promote membership on the board, commission, council, or committee body that accurately reflects the proportion that each gender represents in the population of the State as a whole or, in the case of a local board, commission, council, or committee body, in the population of the area represented by the board, commission, council, or committee body, as determined pursuant to the most recent federal decennial census, unless the law regulating such appointment requires otherwise. If there are multiple appointing authorities for the board, commission, council, or committee body, they may consult with each other to accomplish the purposes of this section.

(b) Reports Generally. – ~~Except as provided at the end of this section, each~~ Each appointing authority described in subsection (a) shall submit a report to the Secretary of State annually by December 1 which discloses the number of appointments made during the preceding year from each gender and the number of appointments of each gender made, expressed both in numerical terms and as a percentage of the total membership of the board, commission, council, or committee body. A copy of the report shall be submitted to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate. In addition, each appointing authority shall designate a person responsible for retaining all applications for appointment, who shall ensure that information describing each applicant's gender and qualifications is available for public inspection during reasonable hours. Nothing in this section requires disclosure of an applicant's identity or of any other information made confidential by law. ~~In those cases where a county or a city is the appointing authority, all the reports referred to above shall be filed with the clerk to the board of county commissioners or the city clerk whichever is applicable. Such reports shall be reported annually by December 1 to the governing boards of the respective county or city and to the Secretary of State. The Secretary of State shall prescribe the form used to report these appointments and may accept these reports by electronic means. Reports by appointing authorities shall be due in the Department of the Secretary of State on or before September 1. From these reports, the Secretary of State shall generate an annual composite report that shall be published by December 1. Copies of the report shall be submitted to the Governor, the Speaker of the House of Representatives, and the President Pro Tempore of the Senate.~~

(c) State Reporting. – Each State appointing authority that makes appointments to a statutorily created public body, however denominated, except those having only advisory authority, shall file a report with the Secretary of State as prescribed in subsection (b) of this section. The Secretary shall submit to the Governor, the Speaker

of the House of Representatives, and the President Pro Tempore by July 1 of each year the names of all State bodies that an appointing authority must report on pursuant to this section.

(d) Reporting by Local Units of Government. – In those cases where a county or a city is the appointing authority, the reporting required by subsection (b) of this section shall be submitted to the Secretary of State by the clerk of that appointing authority. Appointments to the following local, municipal, or county public bodies, or to public bodies however denominated that have the functions of the following public bodies, must be reported:

- (1) City or county ABC board, or local board created pursuant to G.S. 18B-703.
- (2) Adult Care Home Community Advisory Committee.
- (3) Airport Authority.
- (4) Community Child Protection Team or a Child Fatality Prevention Team.
- (5) Civil Service Board or similarly named board established by local act.
- (6) Community Relations Committee.
- (7) Council of Governments.
- (8) Criminal Justice Partnership Task Force.
- (9) Emergency Planning Committee.
- (10) Board of Equalization and Review.
- (11) Local Board of Health.
- (12) Hospital Authority.
- (13) Housing Authority.
- (14) Human Relations Commission.
- (15) County Industrial Facilities and Pollution Control Financing Authority.
- (16) Juvenile Crime Prevention Council.
- (17) Library Board of Trustees.
- (18) Community College Board of Trustees.
- (19) Economic development commission.
- (20) Area mental health, developmental disabilities, and substance abuse board.
- (21) Adult care home community advisory committee.
- (22) Local partnership for children.
- (23) Planning Board.
- (24) Recreation Board.
- (25) County board of social services.
- (26) A public transportation authority created pursuant to Article 25 of Chapter 160A of the General Statutes, a regional public transportation authority created pursuant to Article 26 of Chapter 160A of the General Statutes, or a regional transportation authority created pursuant to Article 27 of Chapter 160A of the General Statutes.
- (27) Local tourism development authority.
- (28) Water and sewer authority.
- (29) Workforce Development Board.
- (30) Zoning Board of Adjustment.
- (31) Planning and Zoning Board.
- (32) Board of Adjustment.
- (33) Historic Preservation Commission.
- (34) Redevelopment Commission.
- (35) City board of education (if appointive).
- (36) Metropolitan Planning Organization.
- (37) Rural Planning Organization."

SECTION 2. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 25th day of
June, 2007.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Joe Hackney
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:09 a.m. this 4th day of July, 2007